

ANDREW PARNES
Pro hac Vice
Attorney at Law
671 First Avenue North
Post Office Box 5988
Ketchum, Idaho 83340
Telephone: (208) 726-1010
Facsimile: (208) 726-1187

RONALD PRETTY
313 West Lincolnway
Cheyenne, WY 82001
(307) 634-0586

Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

UNITED STATES OF AMERICA,

Plaintiff,

No. 12-CR-179-S

vs.

CHRISTOPHER LEE
SWARTWOOD,

Defendant.

**DEFENDANT'S UNOPPOSED MOTION TO CONTINUE SENTENCING
HEARING**

Comes now the defendant, Christopher Swartwood, by and through his attorney, Andrew Parnes, and respectfully requests this Court continue and set the sentencing in

this matter for a period of time convenient to the court approximately forty-five days beyond the current sentencing date of April 23, 2013.

In support of this request, the Defendant informs the Court as follows:

1. On July 19, 2012, the Grand Jury returned an indictment against the Defendant alleging two counts of felon in possession of firearm in violation of 18 U.S.C. §§922 (g)(1) and 924 (e).
2. On December 11, 2012, Mr. Swartwood entered a guilty plea to Count One of the Indictment. Prior to entering the plea, Mr. Swartwood participated in a proffer session with Government agents.
3. At the current time, the Government is assessing the information and pursuing matters based upon the proffer session. The plea agreement provides that based upon its assessment of the information, the Government will file a motion pursuant to USSG § 5K1.1.
4. Additional time is needed to determine the nature and extent of that motion. Counsel for the Government has indicated that an additional forty-five days will allow for a more complete assessment of the substantial assistance information. In addition, at least one government agent who may need to testify regarding this matter is unavailable on the date now set. Both parties have filed their respective responses to the presentence report.

5. The plea agreement contained a clause advising Mr. Swartwood of the potential need to continue the sentencing hearing. Furthermore, undersigned counsel has spoken with Mr. Swartwood, who is in agreement with the requested continuance.
6. Counsel for the Defendant has contacted the attorney for the United States, and the Government joins in this motion and believes this motion is appropriate based on the facts and circumstances as outlined.
7. For all of the aforementioned reasons, the Defendant respectfully requests sentencing in this matter be set at the convenience of the court approximately forty-five days beyond April 23, 2013.
8. Undersigned counsel will be unavailable from June 13 through June 21, 2013.

Respectfully submitted this 12th day of March, 2013.

/s/ Andrew Parnes
Andrew Parnes
Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned certifies that on the 12th day of March, 2013, a true and correct copy of the foregoing document was served upon Counsel of Record, Jason Conder via CM/ECF or Court's Electronic Filing System.

/s/ Andrew Parnes